

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket No. (Optional):  
05CXT0054WL (50337-1160)

I hereby certify that this correspondence is being transmitted via  
EFS on

May 28, 2008

DATE

/bnf/

Signature – Brooke N. French

In re Application of  
Wentink

Application Number  
10/688,527

Filed  
October 17, 2003

For  
Dynamic Transmission Protection in the Presence of  
Multiple Modulation Schemes

Group Art Unit  
2616

Examiner  
Andrews, Leon T.

Applicant hereby **appeals** to the Board of Patent Appeals and interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 510.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is \$  
reduced by half, and the resulting fee is:
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to  
Deposit Account No. 50-0835. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**Warning: Information on this form may become public. Credit card information should not be  
included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR  
3.73(b)  
Is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record.  
Registration No. **58,169**
- ☐ Attorney or agent acting under 37 CFR 1.34(a).  
Registration No. if acting under 37 CFR 1.34(a)

/BAB/  
**Benjamin A. Balser, Reg. No. 58,169**

May 28, 2008  
Date

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit  
multiple forms if more than one signature is required, see below\*.

☐ \*Total of forms are submitted.